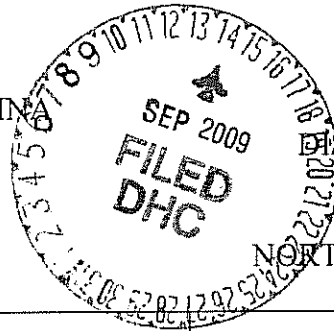


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING
COMMISSION
OF THE
NORTH CAROLINA STATE BAR
09 DHC 24

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

PAMELA A. HUNTER, Attorney,

Defendant

COMPLAINT

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the North Carolina General Statutes, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, Pamela A. Hunter ("Hunter" or "Defendant"), was admitted to the North Carolina State Bar in 1978, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

Upon information and belief:

3. During the relevant periods referred to herein, Hunter engaged in the practice of law in the State of North Carolina and maintained a law office in Charlotte, Mecklenburg County, North Carolina.

4. On or about October 10, 2006, Hunter filed a lawsuit styled *Ramin Amini and wife, Sepideh Amini v. Bruce Sisk, Carter Management Associates, and Bruce Sisk d/b/a Carter Management Associates*, Union County Superior Court file 06 CVS 02289 (hereafter "06 CVS 02289"). Hunter represented the Aminis.

5. Hunter failed to serve either Bruce Sisk (hereafter "Sisk") or Carter Management Associates (hereafter "Carter") before the original summons expired on January 9, 2007.

6. Hunter failed to obtain an alias and pluries summons or an endorsement on the original summons within the time allowed in N.C. R. Civ. Proc. 4(d).

7. On or about July 24, 2007, Hunter obtained an ineffective alias and pluries summons in 06 CVS 02289. The alias and pluries summons was ineffective because it was obtained after the original summons expired.

8. Hunter served Sisk with the ineffective summons.

9. Sisk filed a motion to dismiss Amini's lawsuit.

10. The court entered an order finding (a) that Hunter did not obtain service against Sisk or Carter within sixty days of the issuance of the original summons as required by N.C. R. Civ. P. 4(c), (b) that Hunter did not obtain an extension of the original summons as required by N.C. R. Civ. P. 4 (d), and (c) that the summons lapsed. The court concluded as a matter of law that Amini's lawsuit was discontinued pursuant to N.C.R. Civ. P. 4(e) and granted Sisk's motion to dismiss.

11. On or about December 19, 2006, Hunter undertook to represent Amini in a lawsuit styled *Rickey L. Wilson v. DI-RA, LLC d/b/a Camron Transportation*, Mecklenburg County District Court file 06 CVD 24009 (hereafter "06 CVD 24009").

12. Hunter failed to file an answer on Amini's behalf.

13. As a result of Hunter's failure to file an answer, on or about August 23, 2007, the court entered a default judgment against Amini in 06 CVD 24009.

THEREFORE, Plaintiff alleges that Hunter's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Hunter violated the Rules of Professional Conduct in effect at the time of the conduct as follows:

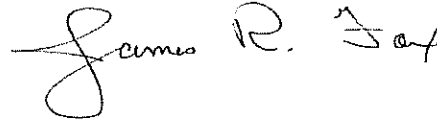
- a.) By failing to serve Sisk or Carter in a timely manner and failing to renew the summons in 06 CVS 02289, resulting in discontinuance of Amini's lawsuit, Hunter failed to act with reasonable diligence and promptness in violation of Rule 1.3; and
- b.) By failing to file an answer on behalf of Amini in 06 CVD 24009 and allowing a default judgment to be entered against Amini, Hunter failed to act with reasonable diligence and promptness in violation of Rule 1.3.

WHEREFORE, Plaintiff prays that:

- (1) Disciplinary action be taken against Defendant in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;

- (2) Defendant be taxed with the costs permitted by law in connection with this proceeding; and
- (3) For such other and further relief as is appropriate.

The 14th day of September, 2009.



James R. Fox, Chair
Grievance Committee



Melissa D. Donahue, Deputy Counsel
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The North Carolina State Bar
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